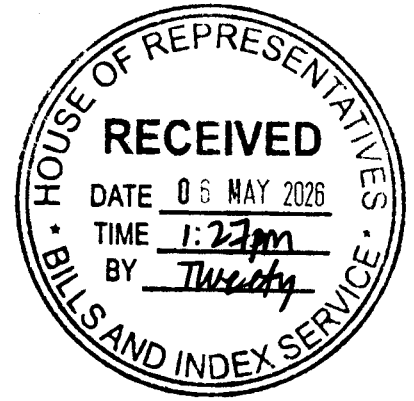


1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Batasan Hills, Quezon City

4
5
6 **TWENTIETH CONGRESS**
7 First Regular Session
8

9
10 **HOUSE BILL No. 9128**
11



12 -----
13 Introduced by
14 **ACT Teachers Party-List Rep. ANTONIO L. TINIO,**
15 **Gabriela Women's Party Rep. SARAH JANE I. ELAGO,**
16 **and KABATAAN Party-List Rep. RENEE LOUISE M. CO**
17 -----

18
19 **AN ACT**
20 **AMENDING REPUBLIC ACT 7305, OTHERWISE KNOWN AS THE MAGNA**
21 **CARTA OF PUBLIC HEALTH WORKERS, AND FOR OTHER PURPOSES**
22

23
24 **EXPLANATORY NOTE**
25

26 Article II Section 15 of the 1987 Philippine Constitution declared that it is the
27 policy of the State to protect and promote the right to health of the people and instill
28 health consciousness among them. Furthermore, the State is mandated to protect the
29 rights of workers, including health workers, and promote their welfare. The rights,
30 which are supposedly guaranteed by the State, includes the workers' right to self-
31 organization, collective bargaining and negotiations, peaceful concerted activities,
32 including the right to strike, security of tenure, humane conditions of work, and a
33 living wage.
34

35 In 1992, the Philippine government enacted Republic Act 7305 or the Magna
36 Carta of Public Health Workers (a) to promote and improve the social and economic
37 well-being of the health workers, their living and working conditions and terms of
38 employment; (b) to develop their skills and capabilities in order that they will be more
39 responsive and better equipped to deliver health projects and programs; and (c) to
40 encourage those with proper qualifications and excellent abilities to join and remain in
41 government service.
42

43 The Department of Health (DOH) recognizes that "health human resource is
44 the main driver of the health care system." However, despite such recognition, the
45 rights and welfare of our health workers remain neglected. In fact, in its 2024 Field

Health Services Information System (FHSIS)¹ data shows that there is a severe understaffing in our public health institutions. There are only 343,331 public health workers, wherein majority were hired by local government units (LGUs), serving the needs of the whole public health system in the Philippines. The breakdown is as follows:

	Number of public health workers			Per Population Ratio
	LGU-hired	DOH-hired	Total	
Physicians	4,448	651	5,099	21,981
Nurses	9,384	11,362	20,746	5,402
Midwives	19,170	5,791	24,961	4,490
Nutritionists	666	228	894	125,369
Medical Technologists	2,742	589	3,331	33,648
Sanitary Engineers	35	1	36	3,721,285
Sanitary Inspectors	2,695	39	2,734	40,995
Active BHWs	281,750	3,780	285,530	95
TOTAL	320,890	22,441	343,331	

Meanwhile, based on its data submission during the 2023 General Appropriations Bill deliberations, the Department of Health (DOH) estimates that there are 819,099 health workers as of December 2021. The majority of which are either working in other fields outside of health practice or overseas. Only 309,888 practicing health professionals in both public and private institutions, wherein 40,850 are physicians, 175,900 are nurses and 57,108 are midwives. This translates to only 2.51 physicians, nurses and midwives per 1,000 population²—very far from the internationally set threshold of 4.45 per 1,000.³

¹ "CY 2023 Field Health Services Information System (FHSIS) Annual Report." Department of Health-Monitoring & Evaluation Division, 2023. Retrieved from https://drive.google.com/file/d/15_sk4l_N7kiFG2kZuACWGaBLU3DBKTM/view

² Based the projected Philippine population (110,198,654) as used under the 2021 FHSIS of the DOH

³ Global strategy on human resources for health: Workforce 2030. *World Health Organization*, 2016. <https://apps.who.int/iris/bitstream/handle/10665/250368/9789241511131-eng.pdf>

1 The lack of and the lack of care of health workers became more apparent
2 during the COVID-19 pandemic. The heroes amid the health crisis are treated like
3 slaves. Many of them are forced to use improvised personal protective equipment
4 (PPE) using plastic bags due to lack thereof. They are forced to serve way beyond the
5 safe working hours and under inhumane working conditions. For several instances,
6 they called for “timeouts” to revise, rethink and improve the pandemic response as the
7 health system is being overwhelmed with the surging COVID-19 along with non-
8 COVID cases. Despite all these sacrifices, their salaries and wages they receive
9 remain incomparable to other countries.

10
11 As of September 2022, DOH Officer-in-Charge Maria Rosario Vergeire said
12 that the Philippines lacks 106,000 nurses in both public and private facilities and
13 hospitals. There is a shortage of doctors, pharmacists, radiologic technologists,
14 medical technologists, occupational therapists, physical therapists, midwives, and
15 dentists.⁴ In March 2023, the ‘shortage’ was further increased to more than 350,000
16 nurses.⁵ In 2025, the DOH estimated that the Philippines lacks 220,000 health
17 workers—particularly doctors and nurses—despite being the largest exporter of
18 healthcare professionals.⁶

19
20 Furthermore, the Philippine Overseas Employment Administration (POEA),
21 through Governing Board Resolution No. 09, s. 2020, even imposed a ban on Filipino
22 health workers to go overseas. It suspended the deployment of the following “until
23 the national state of emergency is lifted and until COVID-19-related travel restrictions
24 are lifted at the destination countries”: medical doctor/physician, nurse, microbiologist,
25 molecular biologist, medical technologist, clinical analyst, respiratory therapist,
26 pharmacist, laboratory technician, X-ray/radiologic technician, nursing
27 assistant/nursing aid, operator of medical equipment, supervisor of health services and
28 personal care, and repairman of medial-hospital equipment. It added that in 2019,
29 there is already a shortage of 290,000 health workers in the country and an average
30 annual migration of 13,000 health care professionals aggravating the deficiency. Due
31 to public opposition, the Inter-Agency Task Force for the Management of Emerging
32 Infectious Diseases, through Resolution No. 23, s. 2020, exempted medical and allied
33 medical health care professionals who perfected and signed overseas employment
34 contracts from the ban.

35
36 In 2020, the DOH called for medical professionals to join the government’s
37 pandemic response. In one of their volunteer programs, the agency offered to the
38 medical professionals free PPE, food and accommodation, and a P500 daily allowance
39 if they volunteer to be assigned in the three designated COVID-19 hospitals: Lung

⁴ Ombay, Gissele. “DOH: Philippine hospitals, private and public, need 106,000 nurses.” *GMA News Online*, 29 September 2022. <https://www.gmanetwork.com/news/topstories/nation/846445/doh-philippine-hospitals-private-and-public-need-106-000-nurses/story/>

⁵ Callas, Willie. “PNA urges DOH to act and stop brain drain in nursing.” *Manila Standard*, 3 March 2023. <https://manilastandard.net/news/314310576/pna-urges-doh-to-act-and-stop-brain-drain-in-nursing.html>

⁶ Cabalza, D. “New solution to PH lack of health workers eyed.” *Inquirer.net*, 1 January 2025. Retrieved from <https://newsinfo.inquirer.net/2020330/new-solution-to-ph-lack-of-health-workers-eyed>

Center, Philippine General Hospital or Dr. Jose N. Rodriguez Hospital. It is not only an insult to our health professionals to be given an allowance lower than the minimum wage in the National Capital Region, it is a testament on how low the Philippine government gives importance to our health workers.⁷

Ironically, despite all these public pronouncements, department order and deployment ban, contractualization and lay-off of public health workers are prevalent on the ground. Furthermore, none of these “solutions” actually address the main cause of migration of health workers. While other countries are aggressively and actively recruiting Filipino health workers through better salaries and benefits, the Philippine government maintains the current dismal state of our health workers—underpaid and overworked.

Instead of solving the alleged “shortage of health workers,” the chronic and severe understaffing in our public health institutions, and numerous vacant plantilla positions, the DOH resorts to contract-out the services of our health workers through different schemes and programs like National Health Workforce Support System (NHWSS), formerly known as the Human Resources for Health Deployment Program (2017-2019). From 2017 to 2021, the DOH deployed an average of 27,500 health workers to augment the health workforce in priority areas. In 2023, the DOH deployed 21,007 health workers, mostly nurses, to achieve 17 health workers per 10,000 population ratio.⁸

The policy of exporting health workers continues to plague our health system. In fact in 2022, the overseas deployment cap of nurses was increased to 7,000. On 15 February 2022, POEA deputy administrator Bong Plan alleged that the reason for increasing the deployment cap is due to the decreasing number of COVID-19 infections in the country resulting in low demand for nurses.

From 5,000, the Department of Labor and Employment (DOLE) raised the deployment cap to 7,000 in December 2021.⁹ The DOH said that the 7,000 cap is set by the DOLE without consultation with their agency. The DOH complained that the migration of health workers is one of its problems and sought to discuss with the Department of Migrant Workers (DMW) and the DOLE.¹⁰ However, in 2022, it was further increased to 7,500.¹¹

⁷ “DOH calls on volunteer health professionals in fight vs COVID-19 with P500 daily allowance. *PhilStar*, 27 March 2020. <https://www.philstar.com/headlines/2020/03/27/2003837/doh-calls-volunteer-health-professionals-fight-vs-covid-19-p500-daily-allowance>

⁸ “2023 DOH Annual Report”. *Department of Health*, 2023. https://drive.google.com/file/d/1etPANiqyYPUY82g_OAXJRibX79C_gTin/view

⁹ “Lifting of 7,000 deployment cap on health workers urged.” *Inquirer.net*, 31 January 2022. <https://newsinfo.inquirer.net/1547440/lifting-of-7k-deployment-cap-on-health-workers-urged>

¹⁰ Ombay, Giselle. “Vergeire: DOLE, not DOH, sets cap on health workers' deployment abroad.” *GMA News Online*, 3 October 2022. <https://www.gmanetwork.com/news/topstories/nation/846823/vergeire-dole-not-doh-sets-cap-on-health-workers-deployment-abroad/story/>

¹¹ Patinio, Ferdinand. “7.5K deployment cap on health workers not yet reached: POEA.” *Philippine News Agency*, 16 June 2022. <https://www.pna.gov.ph/articles/1176831>

1 While espousing nationalist ideals, the dual-faced government pushes our
2 workers abroad and shamelessly frames them as if they don't want to serve their
3 country. It is outright insincere and insensitive to the plight of our health workers and
4 the health needs of the Filipino people for the government to call for health workers to
5 serve in our country while promoting and continuing its labor export policy, and
6 disregarding the actual causes on why health workers resort to migration.

7
8 The compensation currently received by health workers in the Philippines is so
9 low compared to the other countries. Under Executive Order 64, s. 2024 or the Salary
10 Standardization Law VI, the minimum salary of government employees, including
11 public health workers, is pegged at ₱14,634 per month (as of 2026) and even lower if
12 working in various local government units. Meanwhile, based on the 2024
13 Occupational Wages Survey of the Philippine Statistics Authority, the average salary
14 of private health workers goes as low as ₱12,458.

15
16 Section 19 (b) of RA 7305 or the Magna Carta of Public Health Workers
17 mandates that there shall be equality in salary scale of public health workers and that
18 the National Government must subsidize the amount necessary to pay the difference
19 between that received by nationality-paid and locally-paid health workers of
20 equivalent positions. However, this is not being implemented on the ground. The
21 salaries of public health workers working in municipalities and in 2nd to 6th class
22 provinces/cities remain subject to the salary schedule as provided under Section 7 of
23 SSL V.

24
25 Meanwhile, Section 32 of RA 9173 or the Philippine Nursing Act of 2002, was
26 only upheld by the Supreme Court in 2019. For eighteen years, public health nurses
27 were provided salaries below what was lawfully and rightfully due to them. Worse,
28 up until now, there are reports that there are nurses being compensated below SG 15.
29 In fact, the Department of Budget and Management (DBM), through Budget Circular
30 (BC) No. 2020-4, as amended by BC No. 2021-2, provided exemptions contrary to
31 law which deprives various public health nurses from receiving the mandated
32 minimum base pay.

33
34 The government is wary of increasing the salaries and benefits of its workers,
35 including health workers, in the public sector because it may cause migration of
36 workers in the private sector to the public sector. However, this should not be the case.
37 The public sector should serve as a standard and model respecting the rights and
38 welfare of its workers.

39
40 Even the payment of benefits due to health workers who served amid the
41 COVID-19 pandemic, such as the special risk allowance (SRA), active duty hazard
42 pay (ADHP) One COVID-19 Allowance (OCA), Health Emergency Allowance (HEA)
43 and meals, accommodation and transportation allowance (MAT) remains yet to be
44 fully disbursed. There were cases wherein health workers already died due to
45 COVID-19, but still not being paid by the DOH. In fact, the DOH needed to suspend

1 the distribution of unpaid COVID-19 allowance from March 28 to May 11 due to
2 2025 midterm elections.

3
4 The health workers are risking their lives and safety to provide the health needs
5 of the Filipino people. As the backbone of the health system, the Philippine
6 government should ensure that the rights and welfare of the health workers are
7 protected and strengthened. Along with the pursuit of a free, comprehensive and
8 progressive national public health system, the Philippines should also provide just
9 salaries, sufficient benefits and humane working conditions to our health workers.

10
11 In this light, the passage of this Bill is earnestly sought.
12
13
14
15



REP. ANTONIO L. TINIO

ACT Teachers Party-list



REP. SARAH JANE I. ELAGO

Gabriela Women's Party



REP. RENEE LOUISE M. CO

KABATAAN Party-list

1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Batasan Hills, Quezon City
4

5
6 **TWENTIETH CONGRESS**
7 First Regular Session
8

9
10 **HOUSE BILL No. 9128**
11

12 -----
13 Introduced by
14 **ACT Teachers Party-List Rep. ANTONIO L. TINIO,**
15 **Gabriela Women's Party Rep. SARAH JANE I. ELAGO,**
16 **and KABATAAN Party-List Rep. RENEE LOUISE M. CO**
17 -----

18
19 **AN ACT**
20 **AMENDING REPUBLIC ACT 7305, OTHERWISE KNOWN AS THE MAGNA**
21 **CARTA OF PUBLIC HEALTH WORKERS, AND FOR OTHER PURPOSES**
22

23
24 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
25 *Congress assembled:*
26

27 **SEC. 1.** Section 3 of Republic Act 7305 is hereby amended to read as follows:
28

29 "SEC. 3. *Definition.* — For purposes of this Act, "health workers" shall
30 mean all persons who are engaged in health and health-related work, and all
31 persons employed in all hospitals, sanitarium, health infirmaries, health centers,
32 rural health units, barangay health stations, clinics, **SCHOOLS, HEALTH**
33 **OFFICES** and other health-related establishments owned and operated by the
34 Government or its political subdivisions with original charters and shall include
35 medical, allied health professionals, administrative and support personnel
36 employed **IN NATIONAL GOVERNMENT AGENCIES (NGAs),**
37 **INCLUDING STATE UNIVERSITIES AND COLLEGES (SUCs),**
38 **GOVERNMENT-OWNED AND -CONTROLLED CORPORATIONS**
39 **(GOCCs), GOVERNMENT FINANCIAL INSTITUTIONS (GFIs),**
40 **LOCAL GOVERNMENT UNITS (LGUs) AND ALL OTHER**
41 **GOVERNMENT INSTRUMENTALITIES** regardless of their employment
42 status; **WHETHER HOLDING PERMANENT OR TEMPORARY**
43 **STATUS; CASUAL OR CONTRACTUAL; JOB ORDERS, CONTRACT**
44 **OF SERVICE, RENDERING SERVICES ON FULL TIME OR PART**
45 **TIME BASIS; AND WHOSE POSITIONS ARE EITHER COVERED OR**

1 **NOT BY REPUBLIC ACT 6758 "COMPENSATION AND POSITION**
2 **CLASSIFICATION ACT OF 1989", AS AMENDED."**

3
4 **SEC. 2.** Section 8 of Republic Act 7305 is hereby amended to read as follows:
5

6 "SEC. 8. *Security of Tenure.* — **ALL** [In case of regular employment of]
7 public health workers[,] **SHALL BE GRANTED SECURITY OF TENURE**
8 **AND THEY** [their services] shall not be **SEPARATED OR** terminated
9 **FROM THE POSITIONS THEY ARE CURRENTLY HOLDING** except
10 for **JUST** cause provided by law and after due process. **ALL POSITIONS**
11 **AFFECTED BY THIS ACT CURRENTLY HELD BY THE COVERED**
12 **EMPLOYEES AND WORKERS SHALL BE DEEMED NECESSARY**
13 **AND DESIRABLE FOR THE EFFICIENT OPERATION OF THE**
14 **GOVERNMENT, INCLUDING ALL NATIONAL GOVERNMENT**
15 **AGENCIES, LGUS, SUCS, GOCCS AND ALL OTHER GOVERNMENT**
16 **INSTRUMENTALITIES, AND, SHALL NOT BE CONSIDERED AS**
17 **COTERMINOUS WITH THE INCUMBENT:** *Provided,* That if a public
18 health worker is found by the Civil Service Commission to be unjustly
19 dismissed from work, he/she shall be entitled to reinstatement without loss of
20 seniority rights, to his/her back wages with twelve percent (12%) interest
21 computed from the time his/her compensation was withheld from him/her up to
22 the time of reinstatement, **AND THE PAYMENT OF ATTORNEY'S FEES.**
23

24 **NOTHING IN THIS ACT SHALL PREVENT THE CREATION**
25 **OF SUFFICIENT NUMBER OF PERSONNEL REQUIRED BY THE**
26 **AGENCY OR INSTRUMENTALITY FOR THIS PURPOSE. ALL**
27 **AGENCIES AND INSTRUMENTALITIES SHALL SUBMIT TO THE**
28 **DEPARTMENT OF BUDGET AND MANAGEMENT (DBM), AS PART**
29 **OF THEIR ANNUAL BUDGET PROPOSALS, THE NUMBER OF**
30 **POSITIONS OCCUPIED BY COVERED EMPLOYEES AND**
31 **WORKERS IN THIS ACT WHICH ARE REQUIRED TO BE**
32 **CREATED."**
33

34 **SEC. 3.** Section 9 of Republic Act 7305 is hereby amended to read as follows:
35

36 "SEC. 9. *Discrimination Prohibited.* — A public health worker shall not
37 be discriminated against with regard to gender, **AGE**, civil status,
38 **DISABILITY**, creed, religious or political beliefs and ethnic groupings in the
39 exercise of his/her profession."
40

41 **SEC. 4.** Section 10 of Republic Act 7305 is hereby amended to read as follows:
42

43 "SEC. 10. *No Understaffing/Overloading of Health Staff.* — There shall
44 be no understaffing or overloading of Public Health Workers. The ratio of
45 health staff to patient load shall be such as to reasonably effect a sustained

1 delivery of quality health care at all times without overworking the public
2 health worker and over extending his/her duty and service.

3
4 **THERE SHALL BE A NURSE-TO-PATIENT RATIO OF 1:8 IN**
5 **GENERAL WARDS AND 1:1 IN INTENSIVE CARE UNITS.**

6
7 **IN THE COMMUNITY LEVEL,**

- 8
9 i. **MEDICAL PHYSICIAN-TO-POPULATION OF 16:10,000;**
10 ii. **NURSE-TO-POPULATION RATIO OF 32:10,000;**
11 iii. **MIDWIFE-TO-POPULATION: 3:10,000;**
12 iv. **DENTIST-TO-POPULATION : 1:50,000; AND**
13 v. **SANITARY INSPECTOR-TO-POPULATION OF 1:20,000.**
14

15 **THE DEPARTMENT OF HEALTH SHALL PERIODICALLY**
16 **UPDATE THE SAFE HEALTH WORKER-TO-**
17 **PATIENT/POPULATION RATIO.**
18

19 Health students and apprentices shall be allowed only for purposes of
20 training and education.

21
22 In line with the above policy, substitute officers or employees shall be
23 provided in place of officers or employees who are on leave for over three (3)
24 months. Likewise, the Secretary of Health or the proper government official
25 shall assign a medico-legal officer in every province.

26
27 In places where there is no such medico-legal officer, rural physicians
28 who are required to render medico-legal services shall be entitled to additional
29 honorarium and allowances."
30

31 **SEC. 5.** Section 13 of Republic Act 7305 is hereby amended to read as follows:

32
33 "SEC. 13. *Duties and Obligations.* — The public health worker shall:

- 34
35 a) discharge his/her duty humanely with conscience and dignity;
36
37 b) perform his/her duty with utmost respect for life; and
38
39 c) exercise his/her functions without consideration to race, **AGE**,
40 gender, religion, nationality, party politics, social standing or
41 capacity to pay."
42

43 **SEC. 6.** Section 15 of Republic Act 7305 is hereby amended to read as follows:

44
45 "SEC. 15. *Normal Hours of Work.* — The normal hours of work of any
46 public health worker shall not exceed eight (8) hours a day, **INCLUSIVE OF**

1 **A MEAL BREAK, or forty (40) hours a week. WORKING BEYOND 8**
2 **HOURS A DAY SHALL MERIT A MONETIZED OVERTIME PAY.**

3
4 Hours worked shall include: a) all the time during which a public health
5 worker is required to be on active duty or to be at a prescribed workplace; and
6 b) all the time during which a public health worker is suffered or permitted to
7 work. *Provided*, That, the time when a public health worker is placed on "On
8 Call" status shall not be considered as hours worked but shall entitle the public
9 health worker to an "On Call" pay equivalent to one hundred percent (100%) of
10 his/her regular wage. "On Call" status refers to a condition when public health
11 workers are called upon to respond to urgent or immediate need for
12 health/medical assistance or relief work during emergencies such that he/she
13 cannot devote the time for his/her own use."

14
15 **SEC. 7.** Section 16 of Republic Act 7305 is hereby amended to read as follows:

16
17 "SEC. 16. *Overtime Work.* — Where the exigencies of the service so
18 require, any public health worker may be required to render service beyond the
19 normal eight (8) hours a day. In such a case, **ANY EXTENSION BEYOND**
20 **THE NORMAL EIGHT HOURS**, the workers shall be paid an additional
21 compensation [in accordance with existing laws and prevailing practices] **OF**
22 **25% BASE RATE DURING NORMAL DAYS, 50% OF BASE RATE ON**
23 **REST DAY AND 50% OF BASE RATE DURING HOLIDAY BASED ON**
24 **SECTION 15: PROVIDED, THAT OVERTIME PAY SHALL BE PAID**
25 **IN CASH: PROVIDED FURTHER, THAT HEALTH WORKERS**
26 **REQUIRED TO RENDER OVERTIME WORK MUST BE MENTALLY**
27 **AND PHYSICALLY FIT: PROVIDED FINALLY, THAT THE HEALTH**
28 **WORKER REQUIRED TO RENDER DUTY EXTENSION OF FOUR**
29 **HOURS AND ABOVE SHALL BE PROVIDED WITH A MEAL**
30 **IRRESPECTIVE OF HIS/HER SUBSISTENCE ALLOWANCE."**

31
32 **SEC. 8.** Section 17 of Republic Act 7305 is hereby amended to read as follows:

33
34 "SEC. 17. *Work During Rest Day.* — Where a public health worker is
35 made to work on his/her scheduled rest day, he/she shall be paid an additional
36 compensation in accordance with existing laws.

37
38 Where a public health worker is made to work on any special holiday he/she
39 shall be paid an additional compensation in accordance with existing laws.
40 Where such holiday work falls on the worker's scheduled rest day, he/she shall
41 be entitled to an additional compensation as may be provided by existing laws.

42
43 **ALL PUBLIC HEALTH WORKERS, INCLUDING THOSE UNDER**
44 **SHIFTING SCHEDULES, SKELETAL WORKFORCE, ON-CALL**
45 **DUTY, EXTENDED DUTY, AND OTHER FLEXIBLE WORK**
46 **ARRANGEMENTS, SHALL BE ENTITLED TO FULL HOLIDAY PAY**

1 DURING REGULAR HOLIDAYS AND SPECIAL NON-WORKING
2 HOLIDAYS, REGARDLESS OF WHETHER THEY ARE REQUIRED
3 TO REPORT FOR WORK OR NOT.
4

5 SEC. 9. Section 18 of Republic Act 7305 is hereby amended to read as follows:
6

7 "SEC. 18. *Night Shift Differential.* — (a) Every public health worker
8 shall be paid a night shift differential of [ten percent (10%)] **TWENTY**
9 **PERCENT (20 %)**, PURSUANT TO REPUBLIC ACT 11701 of his/her
10 regular wage for each hour of work performed during the night-shifts
11 [customarily adopted by hospitals]. **NIGHT SHIFTS SHALL BE DEFINED**
12 **AS DUTY HOURS BETWEEN SIX (6) O'CLOCK IN THE EVENING**
13 **TO SIX (6) O'CLOCK IN THE MORNING.**
14

15 (b) Every health worker required to work on the period covered after
16 his/her regular schedule shall be entitled to his/her regular wage plus the
17 regular overtime rate and an additional amount of [ten percent (10%)]
18 **TWENTY PERCENT (20%)** of such overtime rate for each hour of work
19 performance between [ten o'clock (10)] **SIX (6)** o'clock in the evening to six
20 (6) o'clock in the morning."
21

22 SEC. 10. Section 19 of Republic Act 7305 is hereby amended to read as follows:
23

24 "SEC. 19. *Salaries.* — [In the determination of the salary scale of public
25 health workers, the provisions of Republic Act No. 6758 shall govern, except
26 that the benchmark for Rural Health Physicians shall be upgraded to Grade 24.]
27 **THE ENTRY SALARY OF SALARY GRADE (SG) 1 PUBLIC HEALTH**
28 **WORKERS SHALL BE THIRTY-SIX THOUSAND PESOS (P36,000.00)**
29 **AND THE ENTRY SALARY OF NURSES AND OTHER ALLIED**
30 **HEALTH PROFESSIONALS SHALL BE FIFTY THOUSAND PESOS**
31 **(P50,000.00): PROVIDED, THAT THE SALARIES OF OTHER**
32 **HEALTH WORKERS SHALL BE ADJUSTED ACCORDINGLY:**
33 **PROVIDED FURTHER, THAT THE SALARIES SHALL BE**
34 **INCREASED EVERY THREE (3) YEARS.**
35

36 a) Salary Scale — Salary scales of public health workers shall be
37 provided progression: *Provided*, That the progression from the
38 minimum of the salary scale shall not extend over a period of ten (10)
39 years: *Provided, further*, That the efficiency rating of the public health
40 worker concerned is at least satisfactory.
41

42 b) Equality in Salary Scale — The salary scales of public health workers
43 whose salaries are appropriated by a city, municipality, district, or
44 provincial government shall not be less than those provided for public
45 health workers of the National Government: *Provided*, That the National
46 Government shall subsidize the amount necessary to pay the difference

1 between that received by nationally-paid and locally-paid health workers
2 of equivalent positions.

3
4 **c) STEP INCREMENTS EVERY THREE YEARS SHALL BE**
5 **IMPLEMENTED TO ALL PUBLIC HEALTH WORKERS.**
6

7 [c] d) Salaries to be Paid in Legal Tender — Salaries of public health
8 workers shall be paid in legal tender of the Philippines or the equivalent
9 in checks or treasury warrants: *Provided, however,* That such checks or
10 treasury warrants shall be convertible to cash in any national, provincial,
11 city, or municipal treasurers' office or any banking institution operating
12 under the laws of the Republic of the Philippines.

13
14 [d] e) Deductions Prohibited — No person shall make any deduction
15 whatsoever from the salaries of public health workers except under
16 specific provisions of law authorizing such deductions: *Provided,*
17 *however,* That upon written authority executed by the public health
18 workers concerned, a) lawful dues or fees owing to any
19 organization/association where such public health worker is an officer or
20 member, and b) premiums properly due all insurance policies,
21 retirement and [medicare] **PHILHEALTH** shall be considered
22 deductible."
23

24 **SEC. 11.** Section 20 of Republic Act 7305 is hereby amended to read as follows:
25

26 "SEC. 20. *Additional Compensation.* — Notwithstanding Section 12 of
27 Republic Act No. 6758, public health workers shall receive the following
28 allowances: hazard allowance, subsistence allowance, longevity pay, **STEP**
29 **INCREMENTS, RICE PROVISION (50 KILOS PER MONTH IN GOOD**
30 **QUALITY),** laundry allowance and remote assignment allowance."
31

32 **SEC. 12.** Section 21 of Republic Act 7305 is hereby amended to read as follows:
33

34 "SEC. 21. *Hazard Allowance.* — **ALL P[P]**ublic health workers in
35 hospitals, sanatoria, rural health units, main health centers, health infirmaries,
36 barangay health stations, clinics, **SCHOOLS, GOVERNMENT AGENCIES**
37 and other health-related establishments [located in difficult areas, strife-torn or
38 embattled areas, distressed or isolated stations, prisons camps, mental hospitals,
39 radiation-exposed clinics, laboratories or disease-infested areas or in areas
40 declared under state of calamity or emergency for the duration thereof which
41 expose them to greater danger, contagion, radiation, volcanic activity/eruption,
42 occupational risks or perils to life as determined by the Secretary of Health or
43 the Head of the unit with the approval of the Secretary of Health,] shall be
44 compensated hazard allowances equivalent to [at least] twenty-five (25%) of
45 the monthly basic salary of health workers receiving salary grade 19 [and

1 below, and five percent (5%) for health workers with salary grade 20 and
2 above].

3
4 **SEC. 13.** Section 22 of Republic Act 7305 is hereby amended to read as follows:

5
6 "SEC. 22. *Subsistence Allowance.* — Public health workers who are
7 required to render service within the premises of hospitals, sanitaria, health
8 infirmaries, main health centers, rural health units and barangay health stations,
9 or clinics, and other health-related establishments in order to make their
10 services available at any and all times, shall be entitled to full subsistence
11 allowance of three (3) meals which may be computed **SEVEN HUNDRED**
12 **FIFTY PESOS (P750.00) PER DAY AND WILL BE READJUSTED**
13 **PERIODICALLY** in accordance with prevailing circumstances, **LIKE**
14 **INFLATION**, as determined by the Secretary of Health in consultation with
15 the Management-Health Workers' Consultative Councils, as established under
16 Section 33 of this Act: *Provided*, That representation and travel allowance shall
17 be given to rural health physicians as enjoyed by municipal agriculturists,
18 municipal planning and development officers and budget officers."

19
20 **SEC. 14.** Section 23 of Republic Act 7305 is hereby amended to read as follows:

21
22 "SEC. 23. *Longevity Pay.* — A monthly longevity pay equivalent to
23 [five percent (5%)] **FIFTEEN PERCENT (15%)** of the monthly basic pay
24 shall be paid to a health worker for every five (5) years of continuous, efficient
25 and meritorious services rendered as certified by the chief of office concerned,
26 commencing with the service after the approval of this Act."

27
28 **SEC. 15.** Section 24 of Republic Act 7305 is hereby amended to read as follows:

29
30 "SEC. 24. *Laundry Allowance.* — All public health workers who are
31 required to wear uniforms regularly shall be entitled to laundry allowance
32 equivalent to [One hundred twenty five pesos (P125.00)] **ONE THOUSAND**
33 **FIVE HUNDRED PESOS (P1,500.00)** per month: *Provided*, that this rate
34 shall be reviewed periodically and increased accordingly by the Secretary of
35 Health in consultation with the [appropriate government agencies]
36 **NATIONAL MANAGEMENT-HEALTH WORKERS CONSULTATIVE**
37 **COUNCIL** taking into account existing laws and prevailing practices."

38
39 **SEC. 16.** Section 25 of Republic Act 7305 is hereby amended to read as follows:

40
41 "SEC. 25. *Remote Assignment Allowance.* — Doctors, dentist, nurses
42 and midwives who accept assignments such as in remote areas or isolated
43 stations, which for reasons of far distance or hard accessibility, such positions
44 had not been filled for the last two (2) years prior to the approval for this Act,
45 shall be entitled to an incentive bonus in the form of remote assignment
46 allowance equivalent to [fifty percent (50%)] **ONE HUNDRED PERCENT**

(100%) of their basic pay, and shall be entitled to reimbursement of the cost of reasonable transportation to and from such remote post or station, upon assuming or leaving such position and during official trips. **THERE SHALL BE A LIFE INSURANCE AMOUNTING TO ONE MILLION PESOS (P1,000,000.00) PROVIDED BY THE AGENCY IN CASES OF DISABILITY AND DEATH IN LINE OF DUTY.**

In addition to the above, such doctors, dentists, nurses, and midwives mentioned in the preceding paragraph shall be given priority in promotion or assignment to better areas. Their tour of duties in the remote areas shall not exceed two (2) years, except when there are no positions for their transfer or they prefer to stay in such post in excess of two (2) years."

SEC. 17. Section 26 of Republic Act 7305 is hereby amended to read as follows:

"SEC. 26. *Housing.* — All public health workers who are on tour of duty and those who, because of unavoidable circumstances are forced to stay in the hospital, sanatoria or health infirmary premises, shall be entitled to free living quarters within the hospitals, sanitarium or health infirmary or if such quarters are not available, shall receive [quarters] **ACCOMMODATION** allowance as may determined by the Secretary of Health and other appropriate government agencies concerned; *Provided*, That this rate shall be reviewed periodically and increased accordingly by the Secretary of Health in consultation with the appropriate government agencies concerned.

For purposes of this Section, the Department of Health is authorized to develop housing projects in its own land, not otherwise devoted for other uses, for public health workers in coordination with appropriate government agencies."

SEC. 18. Section 27 of Republic Act 7305 is hereby amended to read as follows:

"SEC. 27. *Medical Examination.* — Compulsory medical examination, **DENTAL AND OTHER DIAGNOSTIC PROCEDURES** shall be provided free of charge to all public health workers before entering the service in the Government or its subdivisions and shall be repeated once a year during the tenure of employment of all public health workers; *Provided*, That where medical examination shows that medical treatment and/or hospitalization is necessary for those already in the government service, the **OUTPATIENT treatment and/or hospitalization including medicines, VACCINES, RADIOLOGIC AND DIAGNOSTIC PROCEDURES, ONCOLOGIC TREATMENT AND DIALYSIS** shall be provided free either in a government or a private hospital by the government entity paying the salary of the public health worker; *Provided, further*, That the cost of such medical examination and treatment shall be included as automatic appropriation in said entity's annual budget. **IN CASE THAT THE NECESSARY EXAM/S**

1 IS/ARE NOT AVAILABLE IN THE SAID HOSPITAL, A REFERRAL
2 NETWORK SHALL BE UTILIZED AND THE MOTHER AGENCY
3 WILL SHOULDER THE EXPENSES."
4

5 SEC. 19. Section 28 of Republic Act 7305 is hereby amended to read as follows:
6

7 "SEC. 28. *Compensation for Injuries, DISEASES AND DEATH.* —
8 Public health workers shall be protected against the consequences of
9 employment injuries AND DEATH in accordance with existing laws. Injuries,
10 DISEASES AND DEATH incurred while doing overtime work OR WHILE
11 TRAVELING TO AND FROM WORK shall be presumed work-connected."
12

13 SEC. 20. Section 29 of Republic Act 7305 is hereby amended to read as follows:
14

15 "SEC. 29. *Leave Benefits for Public Health Workers.* — Public health
16 workers are entitled to such vacation and sick leaves as provided by existing
17 laws and prevailing practices; *Provided*, That in addition to the leave privilege
18 now enjoyed by public health workers, women health workers are entitled to
19 such maternity leaves provided by existing laws and prevailing practices:
20 *Provided, further*, That upon separation of the public health workers from
21 service, they shall be entitled to all accumulated leave credits with pay. ALL
22 MANDATED BENEFITS SHALL NOT BE TAKEN AGAINST THE
23 EMPLOYEES' PERFORMANCE NOR SHALL NOT IN ANY WAY
24 DIMINISH BENEFITS."
25

26 SEC. 21. Section 30 of Republic Act 7305 is hereby amended to read as follows:
27

28 "SEC. 30. *Highest Basic Salary Upon Retirement.* — Three (3) months
29 prior to THE OPTIONAL and compulsory retirement, the public health
30 worker shall automatically be granted one (1) salary range or grade higher than
31 his/her retirement benefit thereafter, computed on the basis of his/her highest
32 salary, AND TWO THOUSAND PESOS (P2,000.00) PER YEAR AS
33 GRATUITY INCENTIVE ON TOP OF THE BASIC SALARY: *Provided*,
34 That he/she has reached the age and fulfilled service requirements under
35 existing laws. **PROVIDED, FURTHER, THAT THE RETIREMENT**
36 **BENEFIT SHALL BE TAX FREE.**"
37

38 SEC. 22. Section 31 of Republic Act 7305 is hereby amended to read as follows:
39

40 "SEC. 31. *Right to Self-Organization.* — Public health workers shall
41 have the right to freely form, join or assist organizations or unions for purposes
42 not contrary to law in order to defend and protect their mutual interests and to
43 obtain redress of their grievances through peaceful concerted activities
44 INCLUDING THE RIGHT TO STRIKE."
45

46 SEC. 23. Section 33 of Republic Act 7305 is hereby amended to read as follows:

1
2 "SEC. 33. *Consultation With Health Workers' Organizations.* — In the
3 formulation of national policies governing the social security **AND**
4 **PROTECTION** of public health workers, professionals and health workers'
5 organizations or unions as well as other appropriate government agencies
6 concerned shall be consulted by the Secretary of Health. For this purpose,
7 Management-Health Workers' Consultative Councils for national, regional and
8 other appropriate levels shall be established and operationalized."
9

10 **SEC. 24.** Section 34 of Republic Act 7305 is hereby amended to read as follows:
11

12 "SEC. 34. *Health Human Resource Development/Management Study.* —
13 The Department of Health shall conduct a periodic health human resource
14 development/management study into, among others, the following areas:
15

- 16 a) adequacy of facilities and supplies to render quality health care to
17 patients and other client population;
18
19 b) opportunity for health workers to grow and develop their potentials and
20 experience a sense of worth and dignity in their work. Public health
21 workers who undertake post-graduate studies in a degree course shall be
22 entitled to an upgrading in their position or raise in pay: *Provided*, That
23 it shall not be more often every two (2) years;
24
25 c) mechanism for democratic consultation in government health
26 institutions;
27
28 d) staffing patterns and standards of health care to ensure that the people
29 receive quality care. Existing recommendations on staffing and
30 standards of health care shall be immediately and strictly enforced;
31
32 e) ways and means of enabling the rank-and-file workers to avail of
33 educational opportunities for personal growth and development;
34
35 f) upgrading of working conditions, reclassification of positions and
36 salaries of public health workers to correct disparity *vis-à-vis* other
37 professions such that position requiring longer study be upgraded and
38 given corresponding pay scale: **PROVIDED, THAT THE DOH**
39 **SHALL CONDUCT A STUDY IN ORDER TO RECONCILE AND**
40 **INTEGRATE THE OVERLAPPING ISSUES IN THE ACTUAL**
41 **PRACTICE OF THE DIFFERENT PROFESSIONS IN THE**
42 **PUBLIC SECTOR AND RECOMMEND, IF NECESSARY, THE**
43 **CORRESPONDING AMENDMENTS TO THE DIFFERENT**
44 **LAWS AND IMPLEMENTING RULES OF THE DIFFERENT**
45 **HEALTH DISCIPLINES; and**
46

1 g) assessment of the national policy on exportation of skilled health human
2 resource to focus on how these resources could instead be utilized
3 productively for the country's needs.
4

5 There is hereby created a Congressional Commission on Health
6 (HEALTHCOM) to review and assess health human resource development,
7 particularly on continuing professional education and training and the other
8 areas described above. The Commission shall be composed of five (5)
9 members of the House of Representatives and five (5) members of the Senate.
10 It shall be co-chaired by the chairpersons of the Committee on Health of both
11 houses. It shall render a report and recommendation to Congress which shall be
12 the basis for policy legislative in the field of health. Such a congressional
13 review shall be undertaken once every five (5) years."
14

15 **SEC. 25.** Amend Section 36 of Republic Act 7305:
16

17 **SEC. 36. *Prohibition Against Double Recovery of Benefits.*** — Whenever
18 other laws provided for the same benefits covered by this Act, the public health
19 worker shall have the option to choose which benefits will be paid to him/her.
20 However, in the event that the benefits chosen are less than that provided under
21 this Act, the worker shall be paid only the difference. **PROVIDED, THAT**
22 **SPECIAL BENEFITS, SUCH AS BUT NOT LIMITED TO BENEFITS**
23 **GIVEN DURING THE PANDEMICS AND STATE OF HEALTH**
24 **EMERGENCY, SHALL BE ENJOYED BY THE HEALTH WORKERS**
25 **ON TOP OF THE BENEFITS UNDER THIS ACT AND OTHER**
26 **EXISTING LAWS.**
27

28 **SEC. 26.** Section 39 of Republic Act 7305 is hereby amended to read as follows:
29

30 "SEC. 39. *Penal Provision.* — Any person who shall willfully interfere
31 with, restrain or coerce any public health worker in the exercise of his/her
32 rights or shall in any manner commit any act in violation of any of the
33 provisions of this Act, upon conviction, shall be punished by a fine of not less
34 than [Twenty thousand pesos (₱20,000.00)] **TWO HUNDRED THOUSAND**
35 **PESOS (₱200,000.00)** but not more than [Forty thousand pesos (₱40,000.00)]
36 **FIVE HUNDRED THOUSAND PESOS (₱500,000.00)** or imprisonment of
37 not less than [one (1) year)] six (6) years or both at the discretion of the court.
38

39 If the offender is a public official, the court, in addition to the penalties
40 provided in the preceding paragraph, may impose the additional penalty of
41 **PERPETUAL** disqualification from holding public office."
42

43 **SEC. 27.** A new Section 38 of Republic Act 7305 is hereby amended to read as
44 follows:
45

1 **SEC. 38. ON PROTECTION AND SAFETY OF HEALTH**
2 **WORKERS. — THE STATE SHALL UPHOLD AND PROTECT THE**
3 **RIGHTS OF HEALTH WORKERS AS PROVIDED BY LAW. THE**
4 **STATE SHOULD STOP THE KILLINGS OF HEALTH WORKERS,**
5 **PUNISH THOSE IN AUTHORITY OF RED TAGGING, OPPRESSION**
6 **AND RAPE OF HEALTH WORKERS TO ENSURE THEIR**
7 **PROTECTION AND SAFETY. THE STATE SHALL PROVIDE LEGAL**
8 **ASSISTANCE FOR HEALTH WORKERS WHO ARE VICTIMS OF**
9 **SUCH KILLINGS, RED TAGGING, OPPRESSION AND RAPE.**

10
11 The subsequent Sections are hereby renumbered accordingly.

12
13 **SEC. 28. *Implementing Rules and Regulations.*** — Within ninety (90) days from the
14 effectivity of this Act, the Secretary of Health, after consultation with appropriate
15 agencies of the Government, professionals' and health workers' organizations, unions,
16 and other stakeholders, shall promulgate the necessary rules and regulations for the
17 effective implementation of this Act.

18
19 **SEC. 29. *Appropriations.*** The initial funding required for the implementation of this
20 Act shall be sourced from the budget of the agencies concerned. The funds needed in
21 subsequent years shall be included in the General Appropriations Act.

22
23 **SEC. 30. *Separability Clause.*** — Should any provision herein be declared
24 unconstitutional, the remaining provisions not otherwise affected shall be valid and
25 subsisting.

26
27 **SEC. 31. *Repealing Clause.*** — All laws, decrees, orders, rules and regulations or
28 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
29 repealed.

30
31 **SEC. 32. *Effectivity Clause.*** — This Act shall take effect within thirty (30) days after
32 its publication in the Official Gazette or one (1) newspaper of general circulation.

33
34
35 *Approved,*